

**RULES  
OF  
THE TENNESSEE DEPARTMENT OF STATE**

**CHAPTER 1360—1—4  
STAY OF EFFECTIVE DATE OF RULES**

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**1360—1—4—.01 STAY OF EFFECTIVE DATE OF RULES.**

- (1) Prior to the expiration of thirty (30) days from filing of rules the agency proposing the rule may stay the running of the thirty (30) day period for a period not to exceed sixty (60) days. Such stay shall become effective at such time as the agency files written notice with the Department of State and shall specify the length of the effectiveness of the stay. Prior to its expiration, the stay may be withdrawn by the agency. Withdrawal or expiration of the stay shall reactivate the running of the balance of the thirty (30) day period which remained upon the date the stay was filed.

**Authority:** T.C.A. §§4—5—206 and 4—5—215. **Administrative History:** (For history prior to June 22, 1984, see pages 1-1.001.) Repeal and new rule filed May 23, 1984; effective June 22, 1984.

**1360—1—4—.02 PAPER SIZE AND MARGINS.**

- (1) All notices of stay of effective date of rules filed with the Department of State must be filed on white, medium bond paper, size eight and one-half by eleven inch (8 ½"x11") with a one and one-half inch (1½") margin on the left-hand side of each page and a one inch (1") margin at the top and bottom and on the right-hand side of the each page.

**Authority:** T.C.A. §§4—5—206 and 4—5—215. **Administrative History:** (For history prior to June 22, 1984, see pages 1-1.001.) Repeal and new rule filed May 23, 1984 effective June 22, 1984.

**1360—1—4—.03 STYLE AND FORMAT.**

- (1) A Notice of Stay of Effective Date filed in the Department of State will require the following:
  - (a) four (4) original documents with original signatures;
    1. The following guidelines apply to the formatting of the document:
      - (i) the documents must be clean and legible copy;
      - (ii) use caps and lower case in all text. No "all caps";
      - (iii) no bold, underline, or italic fonts.
  - (b) a 3.5" diskette containing all language appearing in the document.
    1. The file must be in a state accepted software program. (Example: Microsoft Word or WordPerfect). Any other word processing formats should be discussed with the Publications Division prior to filing.

(Rule 1360—1—4—.03, continued)

2. The disk should be labeled to include the following information:
  - (i) file name;
  - (ii) software program and version;
  - (iii) chapter and rule number;
  - (iv) name, address, and telephone number of technical contact who created the disk file.
- (2) All notices of stay of effective date of rules presented for filing and of more than one page in length must have each page numbered in the upper right-hand corner in the following manner:
  - (a) page \_\_\_\_ of \_\_\_\_ pages.
- (3) All notices of stay of effective date of rules filed with the Department of State shall be notarized.
- (4) All notices of stay of effective date of rules must be filed in the following format:

Page \_\_ of \_\_ pages.

Notice  
of  
Stay of Effective Date of Rules

(Agency Name)  
(Division Name)

The (department or agency) hereby gives notice that the seventy-five (75) day period for (cite rules) filed with the Department of State on the \_\_\_\_ day of \_\_\_\_\_, 19\_\_, to have become effective on the \_\_\_\_ day of \_\_\_\_\_, 19\_\_, is hereby stayed for \_\_\_\_\_ days. Period of time not to exceed sixty (60) days.

\_\_\_\_\_  
(Signature)  
(Name of Officer)  
(Title of Officer)

Subscribed and sworn to before me this the \_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_.

\_\_\_\_\_  
(Signature)  
Notary Public

My commission expires on the \_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_

(Rule 1360—1—4—.03, continued)

The notice of stay set out herein was properly filed in the Department of State on the \_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and will be effective from the date of filing for a period of \_\_\_\_ days. The stay of the effective date of rules will remain in effect through the \_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, unless properly withdrawn by the agency. (Specify the number of days not to exceed sixty (60) days.)

\_\_\_\_\_  
(Signature)  
(Name of Secretary of State)  
Secretary of State

By: \_\_\_\_\_ (Signature)

- (5) All notices of withdrawal of stay of effective date of rules must be filed in the following format:

Page \_\_ of \_\_ pages.

Notice  
of  
Withdrawal  
of  
Stay of Effective Date of Rules

(Agency Name)  
(Division Name)

The (department or agency) hereby gives notice of withdrawal that the stay of effective date filed with the Department of State on the \_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, to have become effective on the \_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
(Signature)  
(Name of Officer)  
(Title of Officer)

Subscribed and sworn to before me this the \_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_.

\_\_\_\_\_  
(Signature)  
Notary Public

My commission expires on the \_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_.

(Rule 1360—1—4—.03, continued)

The notice of stay set out herein was properly filed in the Department of State on the \_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and will be effective from the date of filing for a period of \_\_\_\_ days. The stay of the effective date of rules will remain in effect through the \_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, unless properly withdrawn by the agency. (Specify the number of days not to exceed sixty (60) days.)

\_\_\_\_\_  
(Signature)  
(Name of Secretary of State)  
Secretary of State

By: \_\_\_\_\_ (Signature)

**Authority:** T.C.A. §§4—5—202, 4—5—205, 4—5—206, 4—5—208, 4—5—209, and 4—5—215. **Administrative History:** (For history prior to June 22, 1984 see pages 1-1. 001.) Repeal and new rule filed May 23, 1984; effective June 22, 1984. Amendment filed June 12, 1995; effective October 27, 1995.

#### **1360—1—4—.04 RESERVATION OF RIGHT OF WAIVER.**

- (1) The Secretary of State reserves the right to waive any of the requirements for filing set out herein and not required by statute. Such waiver will be evidenced by acceptance of notices of stay of effective date of rules or notices of withdrawal of stay of effective date of rules for filing and inscribing thereon the usual signature, dates, and so on.

**Authority:** T.C.A. §§ 4—5—206 and 4—5—215. **Administrative History:** (For history prior to June 22, 1984, see pages 1-1.001.) Repeal and new rule filed May 23, 1984; effective June 22, 1984.